



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

July 26, 2016

Dr. Roy E. Crabtree, PhD
Regional Administrator
National Marine Fisheries Service, NOAA
Southeast Regional Office
263 13th Avenue South
St. Petersburg, Florida 33701

RE: Final Environmental Impact Statement (FEIS) for Regulatory Amendment 16 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region; CEQ No. 20160143

Dear Dr. Crabtree:

The Environmental Protection Agency (EPA) reviewed the subject document pursuant to its Clean Air Act (CAA) §309 responsibilities consistent with the National Environmental Policy Act (NEPA) §102(2)(C). After evaluating alternatives to allow pot fishing during all or part of the closed November 1 through April 30 closed season, the South Atlantic Fishery Management Council and the National Marine Fisheries Service propose to modify the black sea bass pot fishing closure to federal waters bounded approximately by Daytona Beach, FL, to Cape Hatteras, NC, annually during the months of November and April and to federal waters bounded approximately by Cape Canaveral, FL, to Cape Hatteras, NC, annually from December 1 through March 31.

This proposed action effectively prohibits black sea bass pot fishing within the area where 96% to 97% of known sightings of North Atlantic Right Whale occur during its migrations and within its calving grounds (November through April). The goal is to minimize impacts to the North Atlantic Right Whale which is protected under the Endangered Species Act and the Marine Mammal Protection Act and to maximize black sea bass pot fisher opportunities during the winter months when the sea bass migrate closer to shore making them easier to fish and reportedly have a darker coloring that facilitates higher market prices. From our review of the FEIS, the EPA has not identified any significant environmental impacts associated with the proposed action. If your staff wishes to discuss this matter further, please contact Mr. Larry O. Gissentanna (404-562-8248 or gissentanna.larry@epa.gov) or Ms. Beth Walls (404-562-8309 or walls.beth@epa.gov) of my staff.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris A. Militscher".

Christopher A. Militscher
Chief, NEPA Program Office
Resource Conservation and Restoration Division